



City of Long Beach

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# MILLS ACT

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## Property Tax Incentive Program 2019 Application Guide

For property owners undertaking restoration, rehabilitation  
or maintenance of a designated historic property.

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- Mills Act Contract Application Form
- Priority Consideration Criteria Worksheet
- Rehabilitation/Restoration/Maintenance Plan
- Matrix of Condominium Ownership Information (for HOA properties only)
- Landmark Nomination Form (for combination applications only)

## **Introduction**

Thank you for your interest in the City of Long Beach Mills Act Property Tax Incentive Program (Mills Act Program). This Application Guide will assist you in determining your eligibility for the Program and completing the application. It is essential that you review this application guide **before** beginning your application.

## **Background**

The City of Long Beach Mills Act Program was established in 1993, under the authority of State legislation, known as the "Mills Act," which was enacted in 1972. The Program is a financial incentive for property owners undertaking restoration, rehabilitation or maintenance of a designated historic property.

Citywide, there are currently 73 single-family and duplex properties, 18 multi-family properties and 3 commercial structures with Mills Act contracts. The program was dormant between 2006 and 2015. This current round of applications is the fourth since the program was reopened at the request of the Long Beach City Council.

## ***2019 Application Period Schedule***

Applications to the City of Long Beach Mills Act Program are processed once per year, during the application period. This year, the **deadline to submit an application is Friday, March 29, 2019**. All potential applicants (or their representative) **must attend the Pre-Application Workshop on Saturday, February 23, 2019**. The pages that follow will explain the Program requirements and application process in detail.

| <b>City of Long Beach Mills Act Program<br/>2019 Application Period Schedule</b> |  |                                     |
|--|--|-------------------------------------|
| <b>Step</b>  | <b>Action</b>  | <b>Timeline</b>                     |
| 1  | Application Guide and Form Available to public               | Monday, February 8, 2019            |
| 2  | <b>Pre-Application Workshop for all potential applicants</b> | <b>Saturday, February 23, 2019</b>  |
| 3  | <b>Workshop for Applicants Proceeding with Applications</b>  | <b>Saturday, March 9, 2019</b>      |
| 4  | <b>Application Form and Pre-Application Fee due to City</b>  | <b>Friday, March 29, 2019</b>       |
| 5  | Pre-Contract Property Inspections conducted by City Staff    | April 8-19, 2019                    |
| 6  | Cultural Heritage Commission recommendation hearing          | On or before Monday, June 10, 2019  |
| 7  | City Council Hearing   | On or before Tuesday, July 23, 2019 |

|    |  |                                       |
|----|--|---------------------------------------|
| 8  | City Notifies Applicants of Final Selection                              | On or before Friday, July 26, 2019    |
| 9  | City Issues Draft Contracts to Selected Applicants                       | On or before Friday, August 30, 2019  |
| 10 | Selected Applicants return Executed Contract and Application Fee to City | Friday, September 27, 2019            |
| 11 | City Executes and Records Contract with County Recorder                  | On or before Friday, November 1, 2019 |

## **Program Requirements**

### **Overview**

The purpose of the Mills Act Program is to encourage the designation and protection of historic properties. Participating property owners enter into a formal agreement with the City for a minimum 10-year term. Contracts are automatically renewed each year for a new 10-year term and are transferred to new owners when the property is sold. Property owners agree to restore, maintain, and protect the property in accordance with specific historic preservation standards and conditions identified in the contract. Entering into a Mills Act contract results in a property tax reassessment by the County Assessor using the income-capitalization method, which may result in an approximately 30 to 50 percent reduction in property tax. The City conducts an inspection of the property's interior and exterior prior to executing a new contract and every five years thereafter to ensure proper maintenance of the property. A breach of contract by the property owner can result in cancellation of the contract and a penalty equal to 12.5 percent of the property's fair market value.

### **Eligibility Requirements**

In order to be eligible to apply for a Mills Act contract, properties must meet all three criteria listed below. In addition, the property must have no outstanding code violations and/or Orders to Comply issued by Long Beach Development Services, and no delinquent property taxes. Properties owned by high-level City officials, as defined in California Government Code Section 1090, are ineligible for contracts.

### **Historic Designation**

Properties must be designated City of Long Beach historic landmarks or contributing structures within Landmark Districts in order to be awarded a Mills Act Contract. Applicants who own properties not yet designated as Historic Landmarks may submit a Landmark Application concurrent with their Mills Act application.

### **Property Valuation**

Properties must not be exempt from property taxation and must have an assessed value that does not exceed the limits indicated below.

| <b>Property Type</b>   | <b>Valuation Limit</b>                           |
|--|--|
| Single Family Residential (1 dwelling unit)  | Valuation less than \$1,089,482                  |
| Duplex or Triplex Residential (2 or 3 dwelling units)                              | Valuation less than \$653,772 per dwelling unit. |
| Multifamily Residential or Mixed Residential/Commercial (4 or more dwelling units) | No valuation limit.                              |

|  |  |
|--|--|
| Non-Residential (Commercial, Industrial, or Institutional)   | Valuation less than \$2,819,042                  |
| (All Property Types – exceptional properties, culturally significant, or properties at risk of demolition) | No valuation limit – 2 contracts may be awarded. |

The most recent tax bill for the property must be submitted with the Mills Act application so that these valuation limits can be verified.

### Rehabilitation Plan

The Mills Act contract application must include a detailed rehabilitation plan for the property. Properties which have already been rehabilitated, and do not need additional work, are not eligible. Instructions for preparing a rehabilitation plan are included in the forms section at the end of this guide.

### Selection Criteria

City staff will review all submitted applications for eligibility and completeness. In further evaluating those applications that are eligible, staff will use the priority consideration criteria established by the City of Long Beach Cultural Heritage Committee in October 2014 and amendments in 2018 to recommend properties for receipt of a Mills Act contract. Due to the limitations described below, it is possible that not all applicants will receive a contract offer.

### Maximum Number of Contracts Awarded per Year

The number of contracts awarded per year is limited by property type and may not exceed the numbers indicated below.

| Property Type   | Mills Act Contracts per Year |
|---|------------------------------|
| Single Family Residential (1 dwelling unit)   | Maximum 12                   |
| Duplex or Triplex Residential (2 or 3 dwelling units)   | Maximum 3                    |
| Multifamily Residential or Mixed Residential/Commercial (4 or more dwelling units)                        | Maximum 4                    |
| Non-Residential (Commercial, Industrial, or Institutional)  | Maximum 1                    |
| (All Property Types – exceptional properties, culturally significant or properties at risk of demolition) | Maximum 2                    |

The City reserves the right to adjust the award of contracts by property type based upon the quantity and quality of applications submitted. An exceptional property can be a building that is designed and/or associated with a well-known architect, a property that represents a high level of cultural significance in underrepresented communities, or a building that is at high risk of demolition.

### **Priority Consideration Criteria**

Eligible and complete applications with the following characteristics will be given priority consideration for receiving a Mills Act contract:

- Properties that submitted applications in 2006 when the Program was suspended. (If this criterion applies to you, please complete the new 2019 Mills Act Application form and attach a copy of your previous 2006 Mills Act Application).
- Unique or important historic structures that are in particularly poor condition and in need of significant restoration regardless of location. (If this criterion applies to you, please describe the significant restoration needed on the Priority Consideration Criteria Worksheet).
- Potential new landmark properties not within designated historic districts will be given priority consideration.
- 2018 applications that were not awarded and remain eligible will automatically be considered in 2019 and given priority.
- Applications that include a local (Long Beach) labor or materials component in their work plan will be given priority.

Instructions for preparing the Priority Consideration Criteria Worksheet are included in the attached forms at back of this guide.

### **Contract Terms**

The Mills Act Contract is a formal agreement between the property owner and the City. The key elements of the agreement are described below. In addition, please review the following documents located in the Appendices: California Government Code Section 50280-50290, California Revenue and Taxation Code, Article 1.9, Sections 439-439.4, and the Secretary of the Interior's Standards for Rehabilitation.

### **Duration of Contract**

The Mills Act Contract is for a minimum term of 10 years. Unless a notice of non-renewal is given by the property owner or the City in the manner described below, the contract automatically renews each year on its anniversary date. The Contract runs (essentially in perpetuity) with the land and subsequent owners are bound by the terms and



conditions of the contract. The seller of a Mills Act property must disclose this fact to potential buyers. While the contract does renew after 10 years, a new work plan demonstrating continued rehabilitation and preservation of the property is required prior to renewal of the contract.

### **Termination of Contract**

The owner may terminate the contract by notifying the City in writing at least ninety days prior to the annual renewal date. The City may terminate the contract by notifying the owner in writing at least sixty days prior to the renewal date. Except in cases of default and special circumstances, the contract cannot be terminated during the initial 10-year term.

### **Alterations or Additions**

All work on the property must conform to the Secretary of the Interior's Standards for Rehabilitation and the California Historical Building Code. As is required of any Historic Landmark or Historic District property in the City, work on the property will require a Certificate of Appropriateness from the Planning Bureau and any associated permits from the Building and Safety Division.

### **Inspections and Monitoring**

The City is required to inspect the interior and exterior of the property prior to entering in the Contract, and every five years thereafter, to determine the owner's compliance with the Contract. Conditions not conforming to the Secretary of the Interior's Standards for Rehabilitation may be required to be brought into compliance. In addition to the required periodic inspections, the City may also request property owners to self-inspect and provide an update regarding progress made on the Contract's work plan.

### **Breach of Contract**

If the property owner is found to be in breach of contract, the City may cancel the contract, or bring any action in court necessary to enforce the contract. If the contract is cancelled for breach of its conditions, the County Auditor will collect from the property owner a cancellation fee of 12.5 percent of the current Fair Market Value of the property as determined by the County Assessor.

### **Potential Property Tax Savings**

The property owner has the potential to receive tax relief because their property taxes will be reassessed by the County Assessor using a prescribed income capitalization method instead of sales data. The capitalization method determines a fair rental base rate for the property by comparing it to three similar rental properties, when such data is available. Once a rental rate is established for the property, the total year's potential

rental income is determined and eligible expenses (e.g. maintenance costs) are deducted to establish the base assessment rate, which is often less than recent sales data for the property. All calculations are conducted by the County Assessor after the Contracts are signed. There is no guarantee of tax savings under the Mills Act contract and the amount of property taxes under the Program is unknown until after the Contracts are signed.

**Note:** Owners of properties with comparatively low property taxes, such as those benefiting from Proposition 13 limits on assessed value change over time, will not likely benefit from a Mills Act Contract because the assessed value under the Mills Act will likely be higher than the existing base-year value of the property. Generally, owners who have purchased their properties within the last 10 years are most likely to benefit from entering into a Mills Act Contract. Owners however are guaranteed that the Mills Act cannot trigger a tax increase and possession of a Mills Act contract may increase the resale value of the property.

New contracts are recorded with the County Registrar/Recorder on or before December 31 of the year in which they are executed. Reassessments are typically conducted by the County Assessor by June 30 of the year following the contract recording. The new assessment will be reflected on the subsequent property tax bill issued in early October. For example, properties with contracts executed and recorded in December 2019 can expect their potential property tax savings to be reflected on their October 2020 property tax bill. Property taxes are reassessed annually, and the tax bill that property owners receive may vary from year to year.

### **Application Process**

Applications to the Mills Act Program are accepted each year during the application period only. The chart below and the discussion that follows describe the process for applying.

| <b>City of Long Beach Mills Act Program<br/>2019 Application Period Schedule</b> |  |                                       |
|--|--|---------------------------------------|
| <b>Step</b>  | <b>Action</b>  | <b>Timeline</b>                       |
| 1  | Application Guide and Form Available to public                           | Wednesday, February 8, 2019           |
| 2  | <b>Pre-Application Workshop for all potential applicants</b>             | <b>Saturday, February 23, 2019</b>    |
| 3  | <b>Workshop for Applicants Proceeding with Applications</b>              | <b>Saturday, March 9, 2019</b>        |
| 4  | <b>Application Form and Application Fee due to City</b>                  | <b>Friday, March 29, 2019</b>         |
| 5  | Pre-Contract Property Inspections conducted by City Staff                | April 8-19, 2019                      |
| 6  | Cultural Heritage Commission recommendation hearing                      | On or before Monday, June 10, 2019    |
| 7  | City Council Hearing   | On or before Tuesday, July 23, 2019   |
| 8  | City Notifies Applicants of Final Selection                              | On or before Friday, July 26, 2019    |
| 9  | City Issues Draft Contracts to Selected Applicants                       | On or before Friday, August 30, 2019  |
| 10   | Selected Applicants return Executed Contract and Application Fee to City | Friday, September 27, 2019            |
| 11   | City Executes and Records Contract with County Recorder                  | On or before Friday, November 1, 2019 |

### **Application Guide and Form Availability**

The current year's Application Guide and Form are prepared and made available via the City's website in early June. The Application Guide describes the Mills Act Program, who is eligible to apply, the application requirements, associated fees, and the application timeline. The Application Form details the required information and attachments that must be submitted by the property owner to the City.

To download these documents, visit: <http://www.lbds.info/millsact>.

### **Pre-Application Workshop**

Potential applicants (or their representative) and any consultant preparing Mills Act applications must attend the required Pre-Application Workshop hosted by the City on

Saturday February 23, 2019, from 10:00 a.m. – 12:00 p.m. at the City of Long Beach Gas & Oil Auditorium, 2400 E. Spring Street, Long Beach. The consultation will allow property owners to become learn the details of the Mills Act Program and ask questions regarding the program and/or the application process. Applicants are encouraged to bring their draft application documents with them so that they can receive specific direction. The purpose of the Consultation is to help property owners fully understand the Program and its requirements, and help ensure only eligible, fully completed applications are submitted for review.

### **Workshop for Applicants Proceeding with Applications**

Those individuals proceeding with application based on the information provided at the pre-application workshop are invited to a second workshop on Saturday March 9, 2019 from 10:00 a.m. – 12:00 p.m. at the Ramona Park Activity Room, 3301 E. 65th Street, Long Beach, focusing on the application and approval process. This presentation will provide details regarding the prioritization process and ways in which applicants can provide the best possible application to improve their chance of selection by the City.

### **Application Preparation and Submittal**

To be considered for a Mills Act Contract, the property owner (or their representative) must complete the Application Form and assemble the required additional documentation. The deadline to submit the completed application package is **4:00 p.m. on March 29, 2019**, at the following address:

City Hall Permit Center  
Planning Bureau counter  
Long Beach Development Services  
333 W. Ocean Blvd., 4th Floor  
Long Beach, CA 90802

A completed application package consists of the following:

### **Electronic Submittal**

Each application with supporting materials should be submitted on a USB Flash Drive, CD or through file-transfer or other electronic means to the Planning Bureau. One paper copy of the application form with an original wet-signature of the property owner shall be filed at the public counter accompanied by the appropriate fee.

**Mills Act Application Package Check-Off List**

The Application Check-Off List is attached to this Application Guide (see Forms). Use the Check-Off List as a cover sheet for your Application Package help to ensure your submittal is complete.

**Mills Act Application Form**

The Application Form is attached to this Application Guide (see Forms). It must be signed by the current property owner(s). The name(s) must match the Grant Deed provided with the application (see below). A paper copy of this form with a wet signature is required.

**Landmark Application Form**

If the subject property is not already a City of Long Beach historic landmark then a Landmark Application Form is required. This form and any attachments should clearly demonstrate how the property is: associated with events that have made a significant contribution to the broad patterns of the City's history or cultural heritage; or associated with the lives of persons important to the City's history; or embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values; or has yielded or has the potential to yield important information to the prehistory or history of the City.

**Priority Consideration Criteria Worksheet**

The Priority Consideration Criteria Worksheet is attached to this Application Guide (see Forms). In order to determine the property's eligibility for priority consideration, please complete this worksheet. Be sure to clearly describe how property meets each of criteria, or mark as "Not Applicable."

**Rehabilitation/Restoration/Maintenance Plan**

The Rehabilitation/Restoration/Maintenance Plan template is attached to this Application Guide (see Forms). A detailed work plan, consistent with the Secretary of the Interior's Standards for Rehabilitation (see Appendices), is required for the property. Properties which have already been rehabilitated, and do not need additional work, are not eligible. Use the template to create a list and detailed description of all work to be completed in the first ten years of the contract, noting the year in which each task will be completed.

**Photographs**

Photographs are used to evaluate the current condition of the property, the relevance of the proposed rehabilitation plan as well as for use in commission and other presentations for the Mills Act programs. Photographs should include:

- Building exteriors
  - At least one overall view of the property as viewed from the street.
  - At least one overall view of the front, rear, and sides of all buildings.
  - A closer view of each exterior historic feature.
- Building interiors (for Multifamily, Mixed-Use, or Non-Residential Properties only)
  - At least one overall view of each common or publicly accessible interior area, if any.
  - A closer view of each interior historic feature in any common or publicly accessible interior areas.

Label each printed photograph with the building address, subject of the photo, the direction of view, and the date the photo was taken.

### **Site Plan**

Submit one 8 ½" x 11" site plan, drawn to scale, which indicates the locations of all buildings on the property, abutting street names, a north arrow, and building and site dimensions.

### **Property Tax Bill**

Submit the most recent property tax bill for the property. In order to be eligible for consideration, the property must not be exempt from property taxation, must not be delinquent in paying property tax, and must meet the valuation limits described on page 2 of this guide.

### **Grant Deed**

Submit the current Grant Deed for the property. The property owner name(s) listed on the deed must be the same as the individual(s) who signed the Application Form.

### **Fees**

In order to apply for consideration under the Mills Act Program you must submit the Mills Act Pre-Application Fee with your Mills Act Application Form. This fee covers the processing of the Mills Act application, including the pre-contract inspection and hearings at the Cultural Heritage Commission and City Council. The current Mills Act Pre-Application Fee as of January 2019 is \$105.30. This fee must be submitted to the Development Services cashier at the time of application in the form of a credit card, or check or money order made payable to "City of Long Beach."

**Note:** If your property is selected to be awarded a Mills Act contract, you must submit the Mills Act Application Fee with your signed and notarized copy of the contract. This fee covers the cost of executing the contract and recording it with the Los Angeles

County Recorder's Office. The current Mills Act Application Fee as of January 2019 for existing historic landmarks is \$1,421.55 plus \$81.98 for each additional deed or APN. For properties filing the combination Mills Act and Landmark application the Combination Fee is \$1579.50 plus \$81.98 for each additional deed or APN. You do not need to submit this fee unless/until you are notified that your property has been awarded a contract.

In addition, if your property has an active Mills Act contract, you will be required to submit a Mills Act Annual Compliance Review Report and Fee on a form and date to be prescribed by the Department of Development Services. This fee covers the cost of managing the contract and conducting periodic inspections.

### **Special Requirements for Condominiums**

Condominiums or Home Owners Association (HOA) controlled properties are eligible for consideration if ALL property owners consent to the application and contract (if awarded). Applications for such properties must also include the following additional documents:

- One Mills Act Contract Application form for the building's exterior and common spaces, to be completed by the HOA's authorized agent(s).
- One Mills Act Contract Application form for EACH individual unit, to be completed by the respective property owner(s).
- Copy of the HOA Covenants, Conditions & Restrictions (CC&Rs).
- Matrix of Condominium Ownership Information (see Forms).

### **Application Review and Pre-Contract Property Inspections**

The Planning Bureau staff will review all applications to ensure completeness and eligibility to the Program. Ineligible applications will not be considered. Staff may choose to request missing information from incomplete applications, or ask that the application be completed and resubmitted next year.

Eligible and complete applications will be scheduled for a pre-contract inspection of the property to verify the condition based on the information provided in the application. The pre-contract inspections will take place between April 8 and April 19, 2019.

### **Cultural Heritage Commission Recommendation Hearing**

After all applications have been reviewed and site inspections completed, the Planning Bureau Staff will prepare a recommendation report to the Cultural Heritage Commission regarding which applications should be offered a Mills Act contract. The staff recommendation report will be reviewed and discussed by the Cultural Heritage

Commission at a regularly scheduled and noticed hearing on or before Monday, June 10, 2019 and the Commission will make its recommendation to the City Council.

**City Council Hearing**

The City Council will review and approve (or deny) the contracts based on the Cultural Heritage Commission recommendation at a regularly noticed hearing on or before Tuesday, July 23, 2019.

**Notification of Final Selection**

Applicants will be notified of the City Council's decision on or before July 26, 2019. Planning Bureau Staff will then draft the contracts and provide them to the approved applicants on or before August 30, 2019. Applicants that were not selected for a Mills Act Contract may choose to re-apply in the future.

**Contract Execution and Recordation**

After approval by the City Council and receipt of the draft contract from Staff, the property owner must execute the contract and return it to the City with the Mills Act Application Fee by September 27, 2019. Staff will coordinate the execution of the contract by the City.

The contract is recorded by the City with the County Registrar/Recorder's office on or before November 1, 2019. The County Registrar/Recorder will send the City a recorded contract and the City sends a copy of the property owner.

The Development Services Department, Planning Bureau will maintain a copy of all Mills Act contracts on file.

A copy of the recorded contract is delivered to the Los Angeles County Assessor's office by the City staff. The Los Angeles County Assessor will re-assess the property tax. The new assessment will be reflected on the subsequent property tax bill issued.



## **Appendices**

The documents listed below are included in the pages that follow:

- California Government Code Section 50280-50290
- California Revenue and Taxation Code, Article 1.9, Sections 439-439.4
- Secretary of the Interior's Standards for Rehabilitation

## **Forms**

The forms listed below are included in the pages that follow:

- Application Package Check-Off List
- Mills Act Contract Application Form
- Priority Consideration Criteria Worksheet
- Rehabilitation/Restoration/Maintenance Work Plan
- Matrix of Condominium Ownership Information (for HOA properties only)
- Landmark Nomination Form (for combination applications only)

## GOVERNMENT CODE

### SECTION 50280-50290

**50280.** Upon the application of an owner or the agent of an owner of any qualified historical property, as defined in Section 50280.1, the legislative body of a city, county, or city and county may contract with the owner or agent to restrict the use of the property in a manner which the legislative body deems reasonable to carry out the purposes of this article and of Article 1.9 (commencing with Section 439) of Chapter 3 of Part 2 of Division 1 of the Revenue and Taxation Code. The contract shall meet the requirements of Sections 50281 and 50282.

**50280.1.** "Qualified historical property" for purposes of this article, means privately owned property which is not exempt from property taxation and which meets either of the following:

- (a) Listed in the National Register of Historic Places or located in a registered historic district, as defined in Section 1.191-2(b) of Title 26 of the Code of Federal Regulations.
- (b) Listed in any state, city, county, or city and county official register of historical or architecturally significant sites, places, or landmarks.

**50281.** Any contract entered into under this article shall contain the following provisions:

- (a) The term of the contract shall be for a minimum period of 10 years.
- (b) Where applicable, the contract shall provide the following:
  - (1) For the preservation of the qualified historical property and, when necessary, to restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation, and the State Historical Building Code.

(2) For an inspection of the interior and exterior of the premises by the city, county, or city and county, prior to a new agreement, and every five years thereafter, to determine the owner's compliance with the contract.

(3) For it to be binding upon, and inure to the benefit of, all successors in interest of the owner. A successor in interest shall have the same rights and obligations under the contract as the original owner who entered into the contract.

**50281.1.** The legislative body entering into a contract described in this article may require that the property owner, as a condition to entering into the contract, pay a fee that shall not exceed the reasonable cost of providing the service pursuant to this article for which the fee is charged.

**50282.** (a) Each contract shall provide that on the anniversary date of the contract or such other annual date as is specified in the contract, a year shall be added automatically to the initial term of the contract unless notice of nonrenewal is given as provided in this section. Each contract shall also provide that after five years, and every five years thereafter, the city, county, or city and county shall inspect the interior and exterior of the premises to determine the owner's continued compliance with the contract. If the property owner or the legislative body desires in any year not to renew the contract, that party shall serve written notice of nonrenewal of the contract on the other party in advance of the annual renewal date of the contract. Unless the notice is served by the owner at least 90 days prior to the renewal date or by the legislative body at least 60 days prior to the renewal date, one year shall automatically be added to the term of the contract.

(b) Upon receipt by the owner of a notice from the legislative body of nonrenewal, the owner may make a written protest of the notice of nonrenewal. The legislative body may, at any time prior to the renewal date, withdraw the notice of nonrenewal.

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(c) If the legislative body or the owner serves notice of intent in any year not to renew the contract, the existing contract shall remain in effect for the balance of the period remaining since the original execution or the last renewal of the contract, as the case may be.

(d) The owner shall furnish the legislative body with any information the legislative body shall require in order to enable it to determine the eligibility of the property involved.

(e) No later than 20 days after a city or county enters into a contract with an owner pursuant to this article, the clerk of the legislative body shall record with the county recorder a copy of the contract, which shall describe the property subject thereto. From and after the time of the recordation, this contract shall impart a notice thereof to all persons as is afforded by the recording laws of this state.

**50284.** If the legislative body determines that the owner has breached any of the conditions of the contract provided for in this article or has allowed the property to deteriorate to the point that it no longer meets the standards for a qualified historical property, the legislative body shall do one of the following:

- (a) Cancel the contract by following the procedures specified in Sections 50285 and 50286.
- (b) Bring any action in court necessary to enforce a contract, including, but not limited to, an action to enforce the contract by specific performance or injunction.

**50285.** No contract shall be canceled under Section 50284 until after the legislative body has given notice of, and has held, a public hearing on the matter. Notice of the hearing shall be mailed to the last known address of each owner of property within the historic zone and shall be published pursuant to Section 6061.

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**50286.** (a) If a contract is canceled under Section 50284, the owner shall pay a cancellation fee equal to 12 1/2 percent of the current fair market value of the property, as determined by the county assessor as though the property were free of the contractual restriction.

(b) The cancellation fee shall be paid to the county auditor, at the time and in the manner that the county auditor shall prescribe, and shall be allocated by the county auditor to each jurisdiction in the tax rate area in which the property is located in the same manner as the auditor allocates the annual tax increment in that tax rate area in that fiscal year.

(c) Notwithstanding any other law, revenue received by a school district pursuant to this section shall be considered property tax revenue for the purposes of Section 42238.02 of the Education Code, as implemented pursuant to Section 42238.03 of the Education Code, and revenue received by a county superintendent of schools pursuant to this section shall be considered property tax revenue for purposes of Article 4 (commencing with Section 2570) of Chapter 12 of Part 2 of Division 1 of Title 1 of the Education Code.

**50287.** As an alternative to cancellation of the contract for breach of any condition, a landowner that is a party to the contract may bring any action in court necessary to enforce a contract, including, but not limited to, an action to enforce the contract by specific performance or injunction.

**50288.** In the event that property subject to contract under this article is acquired in whole or in part by eminent domain or other acquisition by any entity authorized to exercise the power of eminent domain, and the acquisition is determined by the legislative body to frustrate the purpose of the contract, such contract shall be canceled and no fee shall be imposed under Section 50286. Such contract shall be deemed null and void for all purposes of determining the value of the property so acquired.

**50289.** In the event that property restricted by a contract with a county under this article is annexed to a city, the city shall succeed to all rights, duties, and powers of the county under such contract.

50290. Local agencies and owners of qualified historical properties may consult with the State Historical Resources Commission for its advice and counsel on matters relevant to historical property contracts.

**California Revenue and Taxation Code, Article 1.9, Sections 439 – 439.4**

**439. Historical Property Restrictions; enforceably restricted property.**

For the purposes of this article and within the meaning of Section 8 of Article XIII of the Constitution, property is "enforceably restricted" if it is subject to an historical property contract executed pursuant to Article 12 (commencing with Section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code.

**439.1. Historical Property; definitions.**

For purposes of this article "restricted historical property" means qualified historical property, as defined in Section 50280.1 of the Government Code, that is subject to a historical property contract executed pursuant to Article 12 (commencing with Section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code. For purposes of this section, "qualified historical property" includes qualified historical improvements and any land on which the qualified historical improvements are situated, as specified in the historical property contract. If the historical property contract does not specify the land that is to be included, "qualified historical property" includes only that area of reasonable size that is used as a site for the historical improvements.

#### **439.2. Historical Property; valuation.**

When valuing enforceably restricted historical property, the county assessor shall not consider sales data on similar property, whether or not enforceably restricted, and shall value that restricted historical property by the capitalization of income method in the following manner:

(a) The annual income to be capitalized shall be determined as follows:

(1) Where sufficient rental information is available, the income shall be the fair rent that can be imputed to the restricted historical property being valued based upon rent actually received for the property by the owner and upon typical rentals received in the area for similar property in similar use where the owner pays the property tax. When the restricted historical property being valued is actually encumbered by a lease, any cash rent or its equivalent considered in determining the fair rent of the property shall be the amount for which the property would be expected to rent were the rental payment to be renegotiated in the light of current conditions, including applicable provisions under which the property is enforceably restricted.

(2) Where sufficient rental information is not available, the income shall be that which the restricted historical property being valued reasonably can be expected to yield under prudent management and subject to applicable provisions under which the property is enforceably restricted.

(3) If the parties to an instrument that enforceably restricts the property stipulate therein an amount that constitutes the minimum annual income to be capitalized, then the income to be capitalized shall not be less than the amount so stipulated. For purposes of this section, income shall be determined in accordance with rules and regulations issued by the board and with this section and shall be the difference between revenue and expenditures. Revenue shall be the amount of money or money's worth, including any cash rent or its equivalent, that the property can be expected to yield to an owner-operator annually on the average from any use of the property permitted under the terms by which the property is



enforceably restricted. Expenditures shall be any outlay or average annual allocation of money or money's worth that can be fairly charged against the revenue expected to be received during the period used in computing the revenue. Those expenditures to be charged against revenue shall be only those which are ordinary and necessary in the production and maintenance of the revenue for that period. Expenditures shall not include depletion charges, debt retirement, interest on funds invested in the property, property taxes, corporation income taxes, or corporation franchise taxes based on income.

(b) The capitalization rate to be used in valuing owner-occupied single family dwellings pursuant to this article shall not be derived from sales data and shall be the sum of the following components:

(1) An interest component to be determined by the board and announced no later than September 1 of the year preceding the assessment year and that was the yield rate equal to the effective rate on conventional mortgages as determined by the Federal Housing Finance Board, rounded to the nearest 1/4 percent.

(2) A historical property risk component of 4 percent.

(3) A component for property taxes that shall be a percentage equal to the estimated total tax rate applicable to the property for the assessment year times the assessment ratio.

(4) A component for amortization of the improvements that shall be a percentage equivalent to the reciprocal of the remaining life.

(c) The capitalization rate to be used in valuing all other restricted historical property pursuant to this article shall not be derived from sales data and shall be the sum of the following components:

(1) An interest component to be determined by the board and announced no later than September 1 of the year preceding the assessment year and that was the yield rate equal to the effective rate on conventional mortgages as

determined by the Federal Housing Finance Board, rounded to the nearest 1/4 percent.

(2) A historical property risk component of 2 percent.

(3) A component for property taxes that shall be a percentage equal to the estimated total tax rate applicable to the property for the assessment year times the assessment ratio.

(4) A component for amortization of the improvements that shall be a percentage equivalent to the reciprocal of the remaining life.

(d) Unless a party to an instrument that creates an enforceable restriction expressly prohibits the valuation, the valuation resulting from the capitalization of income method described in this section shall not exceed the lesser of either the valuation that would have resulted by calculation under Section 110, or the valuation that would have resulted by calculation under Section 110.1, as though the property was not subject to an enforceable restriction in the base year.

(e) The value of the restricted historical property shall be the quotient of the income determined as provided in subdivision (a) divided by the capitalization rate determined as provided in subdivision (b) or (c).

(f) The ratio prescribed in Section 401 shall be applied to the value of the property determined in subdivision (d) to obtain its assessed value.

### **439.3. Historical Property; notice of nonrenewal.**

Notwithstanding any provision of Section 439.2 to the contrary, if either the county or city or the owner of restricted historical property subject to contract has served notice of nonrenewal as provided in Section 50282 of the Government Code, the county assessor shall value that restricted historical property as provided in this section.

(a) Following the hearing conducted pursuant to Section 50285 of the Government Code, subdivision (b) shall apply until the termination of the period for which the restricted historical property is enforceably restricted.

(b) The board or assessor in each year until the termination of the period for which the property is enforceably restricted shall do all of the following:

(1) Determine the full cash value of the property pursuant to Section 110.1. If the property is not subject to Section 110.1 when the restriction expires, the value shall be determined pursuant to Section 110 as if the property were free of contractual restriction. If the property will be subject to a use for which this chapter provides a special restricted assessment, the value of the property shall be determined as if it were subject to the new restriction.

(2) Determine the value of the property by the capitalization of income method as provided in Section 439.2 and without regard to the fact that a notice of nonrenewal or cancellation has occurred.

(3) Subtract the value determined in paragraph (2) of this subdivision by capitalization of income from the full cash value determined in paragraph (1).

(4) Using the rate announced by the board pursuant to paragraph (1) of subdivision

(b) Of Section 439.2, discount the amount obtained in paragraph (3) for the number of years remaining until the termination of the period for which the property is enforceably restricted.

(5) Determine the value of the property by adding the value determined by the capitalization of income method as provided in paragraph (2) and the value obtained in paragraph (4).

(6) Apply the ratios prescribed in Section 401 to the value of the property determined in paragraph (5) to obtain its assessed value.

#### **439.4. Historical Property; recordation.**

No property shall be valued pursuant to this article unless an enforceable restriction meeting the requirements of Section 439 is signed, accepted and recorded on or before the lien date for the fiscal year in which the valuation would apply.

### **SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION**

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials.  
Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

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9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

For a full version of the standards and the accompanying illustrated guidelines, visit:  
<http://www.nps.gov/tps/standards/rehabilitation/rehab/index.htm>.

## **Forms**

The forms listed below are included in the pages that follow:

- Application Package Check-Off List
- Mills Act Contract Application Form
- Priority Consideration Criteria Worksheet
- Rehabilitation/Restoration/Maintenance Plan
- Matrix of Condominium Ownership Information (for HOA properties only)
- Procedures for the Nomination of New Historic Landmark Properties/  
Landmark Nomination Form (for combination applications only)

## **APPLICATION PACKAGE CHECK-OFF LIST**

Read the Application Guide before completing your application.  
Use this Check-Off List as a cover sheet for the items below.

### **Requirements for All Properties EXCEPT Condominiums:**

The property owner(s) must submit the following:

- ☐ Mills Act Contract Application Form
- ☐ Priority Consideration Criteria Worksheet
- ☐ Rehabilitation/Restoration/Maintenance Plan
- ☐ Photographs (see Application Guide page 10)
- ☐ Site Plan (see Application Guide page 10)
- ☐ Most recent property tax bill
- ☐ Grant Deed (owner name must match application form)
- ☐ Mills Act Pre-Application Fee (see Application Guide page 11)

### **Requirements for Condominiums/Homeowners Association (HOA) Controlled Properties:**

The authorized agent(s) of the HOA must submit the following for the building's commonly held spaces:

- ☐ Mills Act Contract Application Form (one for building's exterior/common spaces)
- ☐ HOA Covenants, Conditions & Restrictions (CC&Rs)
- ☐ Matrix of Condominium Ownership Information
- ☐ Priority Consideration Criteria Worksheet
- ☐ Rehabilitation/Restoration/Maintenance Plan
- ☐ Photographs (see Application Guide page 10)
- ☐ Site Plan (see Application Guide page 10)
- ☐ Most recent property tax bill (if applicable)
- ☐ Grant Deed (if applicable)
- ☐ Mills Act Pre-Application Fee (see Application Guide page 11)

ALL individual unit owners must submit the following for their private property:

- ☐ Mills Act Contract Application Form (one for each for individual unit)
- ☐ Most recent property tax bill
- ☐ Grant Deed (owner name must match application form)

Include all of the above in one combined submittal.

This form is available in alternative format by request at 562.570.3807. For an electronic version, visit our website at [www.lbds.info](http://www.lbds.info).



## MILLS ACT CONTRACT APPLICATION FORM

### OWNER INFORMATION

Property Address: \_\_\_\_\_

Owner(s) of Property: \_\_\_\_\_

Owner(s) Mailing Address: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Work Telephone: \_\_\_\_\_

Mobile Telephone: \_\_\_\_\_ Alternate Telephone: \_\_\_\_\_

Owner(s) Email: \_\_\_\_\_ Alternate Email: \_\_\_\_\_

### PROPERTY INFORMATION

Assessor Parcel Number (APN): \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Council District No.: \_\_\_\_\_

Property Purchase Date: \_\_\_\_\_ Most Recent Assessed Value: \_\_\_\_\_

Use: ☐ Single-Family (1 dwelling unit) ☐ Duplex/Triplex (2-3 dwelling units)  
☐ Multi-Family (4 or more dwelling units) ☐ Commercial/Industrial/Institutional

List addresses of all other property owned within the City of Long Beach (attach sheet if needed):  
\_\_\_\_\_

Are taxes on all property owned in the City of Long Beach paid current to date?

☐ Yes ☐ No

Are there any orders to comply from City of Long Beach Building and Safety of Housing Authority on any property owned? ☐ Yes ☐ No

### HISTORIC DESIGNATION

☐ Designated City of Long Beach Historic Landmark

Landmark Name: \_\_\_\_\_

Original Construction Date: \_\_\_\_\_ Architect(s): \_\_\_\_\_

Contractor or other person of note (owner, occupant, etc.) \_\_\_\_\_

Architectural Style: \_\_\_\_\_



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**I am (We are) the present owner(s) of the property described above and hereby apply for a Historical Property Contract.**

|                 |       |                 |       |
|-----------------|-------|-----------------|-------|
| _____           | _____ | _____           | _____ |
| Owner Signature | Date  | Owner Signature | Date  |

|            |            |
|------------|------------|
| _____      | _____      |
| Print Name | Print Name |

This form is available in alternative format by request at 562.570.3807. For an electronic version, visit our website at [www.lbds.info](http://www.lbds.info).

## PRIORITY CONSIDERATION CRITERIA WORKSHEET

The following Priority Considerations were recommended by the City of Long Beach Cultural Heritage Commission in October 2014 and approved by the City Council in January 2015. Eligible and complete applications that meet these criteria will be given priority consideration for receiving a Mills Act contract.

In order to determine the property's eligibility for priority consideration, please use the space below to describe if and how the property meets each of the criteria. Also include any required attachments described below.

**Did you submit a Mills Act application for your property in or prior to 2006?**

☐ YES      ☐ NO

As described in the Application Guide, new applications to the Mills Act Program were temporarily suspended in 2006. Applications received during that year were returned by the City to the applicants. The Cultural Heritage Commission would like to give priority to those previously submitted applications. **If this criterion applies to you, include a copy of your previously returned Mills Act application along with your 2015 Mills Act application package.**

**Is your property a unique or important historic structure that is in particularly poor condition and in need of significant restoration, regardless of location?**

☐ YES      ☐ NO

The Cultural Heritage Commission would like to encourage the rehabilitation, restoration and maintenance of designated historic landmarks or contributors to historic landmark districts with significant need. However, as noted in the Application Guide, properties with outstanding Orders to Comply from the Building and Safety Division or Housing Authority will not be eligible for a Mills Act contract until those urgent conditions are first remedied. **If this criterion applies to you, please describe the unique or important aspects of your property and the significant restoration that is needed on an attached sheet.**

This form is available in alternative format by request at 562.570.3807. For an electronic version, visit our website at [www.lbds.info](http://www.lbds.info).

Property Name and Address: \_\_\_\_\_

|  |                               |
|--|-------------------------------|
| Item No.: _____<br><br>Building Feature:<br><br>_____<br><br>Completion Year: 20 _____   | Detailed description of work: |
| Plan to Use Long Beach Vendors For Materials/Labor:<br><input type="checkbox"/> Yes (If Yes, specify/list) <input type="checkbox"/> No | Specify/list:                 |
| Item No.: _____<br><br>Building Feature:<br><br>_____<br><br>Completion Year: 20 _____   | Detailed description of work: |
| Plan to Use Long Beach Vendors For Materials/Labor:<br><input type="checkbox"/> Yes (If Yes, specify/list) <input type="checkbox"/> No | Specify/list:                 |

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Property Name and Address: \_\_\_\_\_

|   |                                      |
|---|--------------------------------------|
| <p>Item No.: _____</p> <p>Building Feature:<br/>_____</p> <p>Completion Year: 20 _____</p>  | <p>Detailed description of work:</p> |
| <p>Plan to Use Long Beach Vendors For Materials/Labor:<br/> <input type="checkbox"/> Yes (If Yes, specify/list)      <input type="checkbox"/> No         </p> | <p>Specify/list:</p>                 |
| <p>Item No.: _____</p> <p>Building Feature:<br/>_____</p> <p>Completion Year: 20 _____</p>  | <p>Detailed description of work:</p> |
| <p>Plan to Use Long Beach Vendors For Materials/Labor:<br/> <input type="checkbox"/> Yes (If Yes, specify/list)      <input type="checkbox"/> No         </p> | <p>Specify/list:</p>                 |
| <p>Item No.: _____</p> <p>Building Feature:<br/>_____</p> <p>Completion Year: 20 _____</p>  | <p>Detailed description of work:</p> |
| <p>Plan to Use Long Beach Vendors For Materials/Labor:<br/> <input type="checkbox"/> Yes (If Yes, specify/list)      <input type="checkbox"/> No         </p> | <p>Specify/list:</p>                 |

City of Long Beach  
MILLS ACT PROPERTY TAX INCENTIVE PROGRAM

Property Name and Address: \_\_\_\_\_

|   |                                      |
|---|--------------------------------------|
| <p>Item No.: _____</p> <p>Building Feature:<br/>_____</p> <p>Completion Year: 20 _____</p>  | <p>Detailed description of work:</p> |
| <p>Plan to Use Long Beach Vendors For Materials/Labor:<br/> <input type="checkbox"/> Yes (If Yes, specify/list)      <input type="checkbox"/> No         </p> | <p>Specify/list:</p>                 |
| <p>Item No.: _____</p> <p>Building Feature:<br/>_____</p> <p>Completion Year: 20 _____</p>  | <p>Detailed description of work:</p> |
| <p>Plan to Use Long Beach Vendors For Materials/Labor:<br/> <input type="checkbox"/> Yes (If Yes, specify/list)      <input type="checkbox"/> No         </p> | <p>Specify/list:</p>                 |
| <p>Item No.: _____</p> <p>Building Feature:<br/>_____</p> <p>Completion Year: 20 _____</p>  | <p>Detailed description of work:</p> |
| <p>Plan to Use Long Beach Vendors For Materials/Labor:<br/> <input type="checkbox"/> Yes (If Yes, specify/list)      <input type="checkbox"/> No         </p> | <p>Specify/list:</p>                 |

City of Long Beach  
MILLS ACT PROPERTY TAX INCENTIVE PROGRAM

Property Name and Address: \_\_\_\_\_

|  |                               |
|--|-------------------------------|
| Item No.: _____<br>Building Feature:<br>_____<br>Completion Year: 20 _____   | Detailed description of work: |
| Plan to Use Long Beach Vendors For Materials/Labor:<br><input type="checkbox"/> Yes (If Yes, specify/list) <input type="checkbox"/> No | Specify/list:                 |
| Item No.: _____<br>Building Feature:<br>_____<br>Completion Year: 20 _____   | Detailed description of work: |
| Plan to Use Long Beach Vendors For Materials/Labor:<br><input type="checkbox"/> Yes (If Yes, specify/list) <input type="checkbox"/> No | Specify/list:                 |

**NOTE: Please ensure that the current condition of all building features proposed for rehabilitation/restoration/maintenance as part of this work plan are clearly photographed or otherwise documented and labelled as required, and submitted with the Mills Act Application (see Application Guide page 10).**

This form is available in alternative format by request at 562.570.3807. For an electronic version, visit our website at [www.lbds.info](http://www.lbds.info).

City of Long Beach  
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**MATRIX OF CONDOMINIUM OWNERSHIP INFORMATION**  
(Required for multi-tenant ownership properties only)

**Condominium buildings must have 100% owner participation to be eligible for consideration.** Please list **ALL** legal parcels associated with the property (common and privately held), and indicate the respective owner(s) [Home Owners Association (HOA) or individual(s)]. Corresponding Application Forms must be submitted by the HOA's authorized agent(s) and each of the individual unit owners. Duplicate this page as needed to include all legal parcels.

Property Name and Address: \_\_\_\_\_

| Unit Number | Assessor's Parcel Number | Owner(s) Name(s) | App. Form Attached |
|-------------|--------------------------|------------------|--------------------|
|             |                          |                  |                    |
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|             |                          |                  |                    |

City of Long Beach  
MILLS ACT PROPERTY TAX INCENTIVE PROGRAM

Property Name and Address: \_\_\_\_\_

| Unit Number | Assessor's Parcel Number | Owner(s) Name(s) | App. Form Attached |
|-------------|--------------------------|------------------|--------------------|
|             |                          |                  |                    |
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This form is available in alternative format by request at 562.570.3807. For an electronic version, visit our website at [www.lbds.info](http://www.lbds.info).



## PROCEDURES FOR THE NOMINATION OF NEW HISTORIC LANDMARK PROPERTIES

The City of Long Beach and the Cultural Heritage Commission welcome nominations for the designation of historic landmark properties. Identifying designated landmarks within the City is a crucial component to preserving the shared architectural and cultural history of Long Beach. The Cultural Heritage Commission is responsible for the review of all nominations for designated landmark properties, pursuant to Chapter 2.63 of the Long Beach Municipal Code.

The applicant is responsible for completing a Certificate of Appropriateness Landmark Nomination Form, and submitting the Form along with appropriate fees. Long Beach Development Services staff will conduct research, document existing conditions at the site, and meet with the applicant and property owner before providing a recommendation to the Cultural Heritage Commission. The Commission's action will then be forwarded to the City Council for a final decision on the application.

Historic landmarks must meet at least one of the following criteria:

- A. Associate with events that have made a significant contribution to the broad patterns of the City's history.
- B. Associate with the lives of persons significant in the City's past.
- C. Embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; or possess high artistic values.
- D. Yield, or be likely to yield, information important in prehistory or history.

In order to assist staff and the Commission with evaluation of potential historic landmarks, the following materials are required when submitting a nomination for a designated landmark property:

**Certificate of Appropriateness Landmark Nomination Form** – This Form is essential to identify the property on its legal parcel. This Form also sets forth the ownership of the property, its date of construction, style, architect, builder, historic significance and character defining features.

**Photographic Record of Property** – The submittal should include photographs of the project site, all its borders or lot lines, each façade of the building, as well as pictures of any character defining features.

**Completed CA DPR 523A, 523B Forms** – The City of Long Beach is a California Certified Local Government for Historic Preservation and utilizes the CA DPR 523 State forms and standards for recording and evaluating historic resources. These optional forms help prepare the legal record for landmark designation. Known as the primary record and the building record, these forms record information related to historic significance in a format recognized and used throughout California. A professional historic preservation professional or City staff may be needed to assist an applicant with this item. These forms will be prepared by City staff prior to scheduling any hearing on the proposed landmark.

City of Long Beach  
MILLS ACT PROPERTY TAX INCENTIVE PROGRAM

**Site Plan of Subject Property** – The site plan should clearly show the boundaries of the lot, all buildings on the lot, as well as points of ingress and egress. If the proposed nomination also relates to interior space, a floor plan should be included showing the arrangement and use of interior spaces and rooms.

**Copies of Historic Photos, Plans, or other information** – The applicant is encouraged to submit any and all materials that may be helpful in establishing the history and significance of the property. These materials may include, but are not limited to: original building and construction plans; histories of building ownership; occupancy and sale; historic photographs of the building; references to the building and/or its occupants in news stories or other media; as well as any existing scholarly or amateur research regarding the structure.

**Fees** – All applications are subject to current fees established by the City of Long Beach fee schedule. Fees for a standalone landmark application will vary from applications filed in conjunction with a Mills Act request or other entitlements.

**Format of Submitted Materials** – All materials should be submitted electronically on a USB flash drive, CD, or by file transfer to the Planning Bureau staff. A paper copy of the Certificate of Appropriateness Landmark Nomination Form with an original signature is also required at the time of filing.

**Pre-Application Meeting** – Potential applicants are strongly encouraged to meet with the City's Historic Preservation Office prior to completing or filing any application for a new landmark. Staff is available to provide background information, assist with completing the required forms and materials, and advise regarding researching the history of the property.

**Filing by Appointment Only** – Applicants should contact the City's Historic Preservation Office for an appointment to file a Certificate of Appropriateness Landmark Nomination Form and supplemental materials. Appointments are generally available within one week of receiving a request.

Once an application is filed, it will be reviewed by Development Services staff to ensure that all required information has been received. Staff will notify the applicant if submittal is incomplete; and conduct the necessary evaluation to provide a recommendation to the Cultural Heritage Commission.

In cases where the applicant is different from the property owner, Development Services staff will immediately notify the property owner of the pending application. Following this notice, staff will schedule subsequent meetings with the applicant, property owner, and the City's Historic Preservation Officer to discuss the proposed application. Historic landmarks may qualify for tax credits, property tax abatement; as well as zoning and building code relief through the adaptive reuse process and historic building code. Information provided by both the applicant and the property owner will be presented to the Cultural Heritage Commission for their consideration of proposed designated landmarks.

For questions or additional information about the nomination of new historic landmark properties, please call the Planning Main Line at 562-570-6194.



City of Long Beach  
Long Beach Development Services  
Planning Bureau  
333 West Ocean Blvd., 5<sup>th</sup> floor  
Long Beach, CA 90802  
(562) 570-6194 Fax: (562) 570-6860

## CERTIFICATE OF APPROPRIATENESS Landmark Nomination Form

**Please print legibly or type**

|  |             |                                  |
|--|-------------|----------------------------------|
| DATE:  | PROJECT NO: | APPLICATION NO: <b>HP -</b>      |
| APPLICANT'S NAME:  |             | PROPERTY OWNER'S NAME:           |
| APPLICANT'S ADDRESS:   |             | PROPERTY OWNER'S ADDRESS:        |
| CITY, STATE, ZIP:  |             | CITY, STATE, ZIP:                |
| TELEPHONE (INCLUDING AREA CODE):   |             | TELEPHONE (INCLUDING AREA CODE): |
| EMAIL ADDRESS:   |             | EMAIL ADDRESS:                   |
| PRIMARY CONTACT PERSON: <input type="checkbox"/> Applicant <input type="checkbox"/> Property Owner |             |                                  |

*I, the undersigned, declare under penalty of perjury under the laws of the State of California that the information on this Certificate of Appropriateness application is true and correct. In addition, I understand that by nominating the subject property for landmark designation I cannot proceed with any environmental changes unless and until a Certificate of Appropriateness is issued by the Cultural Heritage Commission or the Historic Preservation Office. I further understand that neither this application nor a subsequently issued Certificate of Appropriateness supersedes the need to obtain the necessary building permits and other applicable permits under the City of Long Beach Municipal Code.*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### 1. PROPOSED LANDMARK

|                            |   |                   |
|----------------------------|---|-------------------|
| NAME OF PROPOSED LANDMARK: | ASSESSOR'S PARCEL NUMBER:   | COUNCIL DISTRICT: |
| PROPERTY ADDRESS:          | COMPLETE LEGAL DESCRIPTION:<br>TRACT                      BLOCK                      LOT(S) |                   |
| PRESENT USE:               | ORIGINAL USE:   |                   |

### 2. SUBMITTAL REQUIREMENTS

|  |   |
|--|---|
| <input type="checkbox"/> COMPLETED APPLICATION (PAPER WITH ORIGINAL SIGNATURE)               | <input type="checkbox"/> PHOTOGRAPHIC RECORD OF PROPERTY (ELECTRONIC)   |
| <input type="checkbox"/> [OPTIONAL] COMPLETED DPR FORM 523A, 523B (ELECTRONIC)               | <input type="checkbox"/> SITE PLAN OF SUBJECT PROPERTY (ELECTRONIC)<br>(FLOOR PLANS, IF INTERIOR DESIGNATION) |
| <input type="checkbox"/> COPIES OF HISTORIC PHOTOS, PLANS, OR OTHER INFORMATION (ELECTRONIC) |   |

### FOR DEPARTMENT USE ONLY BELOW THIS LINE

|  |   |                    |
|--|---|--------------------|
| Reviewed By: _____ Date: _____   | <input type="checkbox"/> Submittal Complete   | COA Fee: \$        |
|  | <input type="checkbox"/> Submittal Incomplete | 9.3% Surcharge: \$ |
|  | <input type="checkbox"/> CHC Date:            | <b>TOTAL:</b> \$   |
| This information is available in alternative format by request to 562.570.3807.<br>For an electronic version of this form, visit our website at <a href="http://www.lbds.info">www.lbds.info</a> . |   |                    |

### 3. DESCRIPTION

|   |   |
|---|---|
| ARCHITECTURAL STYLE:  | CONSTRUCTION DATE:<br><br><input type="checkbox"/> FACTUAL <input type="checkbox"/> ESTIMATED |
| ARCHITECT, DESIGNER, OR ENGINEER:   | CONTRACTOR OR OTHER BUILDER:  |
| CONDITION: <input type="checkbox"/> EXCELLENT <input type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> DETERIORATED   |   |
| ALTERATIONS:  |   |
| THREATS TO SITE: <input type="checkbox"/> NONE KNOWN <input type="checkbox"/> PRIVATE DEVELOPMENT <input type="checkbox"/> VANDALISM <input type="checkbox"/> PUBLIC WORKS PROJECT<br><input type="checkbox"/> ZONING <input type="checkbox"/> OTHER: |   |
| IS THE STRUCTURE: <input type="checkbox"/> ON ITS ORIGINAL SITE <input type="checkbox"/> MOVED <input type="checkbox"/> UNKNOWN   |   |

### 4. SIGNIFICANCE

BRIEFLY STATE HISTORICAL AND/OR ARCHITECTURAL IMPORTANCE OF THE PROPOSED LANDMARK:  
INCLUDE DATES, EVENTS, AND PERSON(S) ASSOCIATED WITH THE SITE. (USE AN ADDITIONAL SHEET IF NECESSARY)

SOURCES (LIST BOOKS, DOCUMENTS, SURVEYS, PERSONAL INTERVIEW WITH DATES)

## 5. CHARACTER DEFINING FEATURES

|  |  |
|--|--|
| NAME OF PROPOSED LANDMARK:   | PROPERTY ADDRESS:  |
| NUMBER OF STORIES:   | PLAN TYPE (BASIC SHAPE OF THE BUILDING):                   |
| ARCHITECTURAL STYLE:   | STRUCTURE USE (RESIDENCE, ETC):                            |
| <b>EXTERIOR FINISH MATERIAL</b>  |  |
| BODY (WOOD SIDING, WOOD SHINGLES, BRICK, STUCCO, ETC.):  | TRIM (WOOD, METAL, ETC):                                   |
| <b>ROOF</b>  |  |
| SHAPE (GABLE, HIPPED, MANSARD, ETC):   | MATERIAL (CLAY TILE, ASPHALT, WOOD SHINGLES, ETC):         |
| <b>WINDOWS</b>   |  |
| WINDOW MATERIAL & TYPE (WOOD, SINGLE HUNG, DOUBLE HUNG, CASEMENT, HORIZONTAL SLIDING, ETC):  |  |
| <b>ENTRY</b>   |  |
| DOOR LOCATION (RECESSED, CENTERED, OFF-CENTER, CORNER, ETC):   | DOOR STYLE (TWO PANEL, THREE PANEL, DOOR WITH GLASS, ETC): |
| <b>ADDITIONAL CHARACTER DEFINING ELEMENTS OF THE STRUCTURE</b>   |  |
| IDENTIFY ORIGINAL FEATURES SUCH AS PORCHES; BALCONIES; NUMBER AND SHAPE OF DORMERS; NUMBER AND LOCATION OF CHIMNEYS; SHUTTERS; SECONDARY FINISH MATERIALS; PARAPETS; METAL TRIM; DECORATIVE TILE OR CAST STONE; ARCHES; ORNAMENTAL WOODWORK; SYMMETRY OR ASYMMETRY; CORNICES; FRIEZES; TOWERS OR TURRETS; BAY WINDOWS; HALFTIMBERING; HORIZONTALLY; VERTICALLY; FORMALITY OR INFORMALITY; GARDEN WALLS, ETC: |  |

SECONDARY BUILDINGS (GARAGE, GARDEN SHELTER, ETC.):

**SIGNIFICANT INTERIOR SPACES (IF APPLICABLE)**

IDENTIFY ORIGINAL FEATURES SUCH AS WOOD PANELING; MOLDINGS AND TRIM; SPECIAL GLASS WINDOWS; ORNATE CEILINGS; PLASTER MOLDINGS; LIGHT FIXTURES; PAINTED DECORATION; CERAMIC TILE; STAIR BALUSTRADES; BUILT-IN FURNITURE, ETC:

**LANDSCAPING (IF APPLICABLE)**

IDENTIFY NOTABLE MATURE TREES AND SHRUBS:

ANY ADDITIONAL FEATURES: